IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23403 of 2004

Between:

Mrs.Indrakanti Janaki,

w/o late Indirakanti Venkata Ramana Murthy,
D.No.7-1-67/2, China Waltair, Visakhapatnam, Andhra Pradesh.

..... PETITIONER

AND

1 The District Collector, Visakhapatnam District, Visakhapatnam, A.P.
2 The Mandal Revenue Officer, Anandapuram Mandal,
Visakhapatnam District, A.P.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a writ of mandamus or any other appropriate writ or order or direction directing the respondent No.1 to grant the petitioner permission to sell the land which was assigned to the petitioner through provisional patta vide proceedings in R.C.No.657/95 A dated 14-03-1996 for an extent of 5 acres of land covered in Survey No.4 of Chandaka Village, Anandapuram Mandal, Visakhapatnam District, relaxing the condition of 10 years, as a special case and pass such other reliefs

Counsel for the Petitioner: Dr.D.Chandra Sekhar for M/S.CLIENT & COUNSEL

Counsel for the Respondents.: GP FOR ASSIGNMENT

The Court at the stage of admission made the following :

ORDER:

The petitioner claims to be assignee of land to an extent of Ac.5-00**,** survey No. 4 of Chandaka Village, Anandapuram Mandal and brought the same into cultivation after spending huge amounts. The petitioner contends that he has spent huge amounts for the development of the said land and exhausted all the money she received towards compensation after death of her husband and presently she is only receiving an amount of Rs.2,200/- as pension and facing severe financial difficulties and seeks permission to sell the assigned land.

Learned counsel for petitioner submitted that petitioner has spent huge amounts for development of the assigned land and presently facing severe financial constraints and her son is studying in 8th class and treating it as a special case, she may be granted D-form patta and permitted to sell the assigned land.

Heard learned counsel for petitioner and learned Government Pleader for Assignment. Both counsel agreed for disposal of the writ petition at the admission stage.

Having regard to the financial difficulties expressed by the petitioner, without

expressing any opinion on the merits of the matter,

I deem it appropriate to dispose of the writ petition directing the second respondent to consider the request of the petitioner for grant of D-form patta in favour of the assignee and pass appropriate orders in accordance with law expeditiously.

Subject to above observation, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

16-12-2004

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Visakhapatnam District, Visakhapatnam, A.P.
2 The Mandal Revenue Officer, Anandapuram Mandal,
Visakhapatnam District, A.P.

3.2CCs to G.P. for Assignments, High Court of A.P. Buildings, Hyd (OUT)

4.2CD copies